

<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 24pt; font-weight: bold;">000243</div> <div style="text-align: center;"> <b>REQUEST FOR COUNCIL ACTION</b>  CITY OF SAN DIEGO </div> </div>		1. CERTIFICATE NUMB (FOR AUDITOR'S US) <div style="text-align: right; font-weight: bold;">334 02/24</div>					
TO: CITY ATTORNEY	2. FROM (ORIGINATING DEPARTMENT): Development Services	3. DATE: 10/20/08					
4. SUBJECT: <b>Jackson/Marshall Elementary School Public Right-of-Way and Easement Vacations</b>							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) Morris Dye, x 65201, MS 501	6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) Patrick Hooper, x 77992, MS 501	7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>					
8. COMPLETE FOR ACCOUNTING PURPOSES							
FUND	DEPT.	ORGANIZATION					
	1300	1671					
OBJECT ACCOUNT	4038						
JOB ORDER	422102						
C.I.P. NUMBER							
AMOUNT							
9. ADDITIONAL INFORMATION / ESTIMATED COST: No cost to the City. The applicant has deposited sufficient funds to cover associated project processing costs.							
10. ROUTING AND APPROVALS							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	KELLY BROUGHTON <i>Kelly Broughton</i>	10/24/08	8	DEPUTY CHIEF	WILLIAM ANDERSON <i>William Anderson</i>	10/24/08
2	DSD/EAS	MYRA HERRMANN <i>Myra Herrmann</i>	10/22/08	9			
3				10	CITY ATTORNEY	MARIANNE GREENE <i>Marianne Greene</i>	10/27/08
4				11	ORIG. DEPT	MIKE WESTLAKE <i>Mike Westlake</i>	10/23/08
5				DOCKET COORD: _____ COUNCIL LIAISON: _____			
6				✓	COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/>		
7					REFER TO: _____ COUNCIL DATE: _____		
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
A resolution for a vacation of a portion of 51 <sup>st</sup> Street, 52 <sup>nd</sup> Street, Polk Avenue, unnamed alleys, vacation of a general utility easement and an easement for pubic street purposes, and an associated Parcel Map.							
11A. STAFF RECOMMENDATIONS: Approve the Resolution and Parcel Map.							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.) <u>COUNCIL DISTRICT(S):</u> 7 <u>COMMUNITY AREA(S):</u> City Heights <u>ENVIRONMENTAL IMPACT:</u> This activity is covered under Final 52 <sup>nd</sup> Street Area School Environmental Impact Report SCH No. 1999101128 dated May, 2003 certified by Board of Education on June 10, 2003. The activity is adequately addressed in the environmental documents and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of CEQA review per CEQA Guidelines Section §15060(c)(3) and 15378(c).  <u>HOUSING IMPACT:</u> None <u>OTHER ISSUES:</u> None							

## EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: October 20, 2008                      REPORT NO.:  
ATTENTION: Council President and City Council  
ORIGINATING DEPARTMENT: Development Services Department  
SUBJECT: Jackson/Marshall School Right-of-Way Vacation, Easement Vacations and  
Parcel Map, PTS Project Number 71130  
COUNCIL DISTRICT: 7  
STAFF CONTACT: Morris Dye, (619) 446-5201, mdye@sandiego.gov

REQUESTED ACTION:

The vacation of portions of 51<sup>st</sup> Street, 52<sup>nd</sup> Street, Polk Avenue, and unnamed alleys, the vacation of a general utility easement and an easement for road purposes, and an associated Parcel Map within the Mid-Cities/City Heights Community Plan area.

STAFF RECOMMENDATION:

**APPROVE** Public Right-of-Way Vacation No. 47485, Easement Vacation No. 524951, and Parcel Map No. 524952.

EXECUTIVE SUMMARY:

The school site is located east of Interstate 15, south of Orange Avenue, between Altadena Avenue and 52<sup>nd</sup> Street, in the Mid-Cities/City Heights Community Plan Area. The San Diego Unified School District has requested the vacations of the public Rights-of-Way and associated easements to allow for the construction of Jackson/Marshall Elementary School at this location. These public rights-of-way and easements are no longer required. The easements were for general utility and public street purposes.

To approve the requested vacations, the following four findings must be made.

1. There is no present or prospective use for the purpose for which the right of way was originally acquired.
2. The public will benefit from the vacation through improved utilization of land.
3. The vacation is consistent with the General Plan or an approved Community Plan.
4. The public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation.

City staff has confirmed that there is no present or prospective use for the right-of-way or easements for which they were originally acquired, and that no public use of a like nature is anticipated. The vacations would allow for construction of a school in an established neighborhood. In addition, new public improvements would be constructed around the school location. As such, the public would benefit from the vacation through improved utilization of the land. The Mid-Cities Community Plan identifies this area for an elementary school. As this proposed vacation would support the construction of the

000246

school at this location, the project is consistent with the community plan. Transportation staff has determined that the public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation. In addition, the San Diego Unified School District has included Safe Routes To School elements by including traffic calming improvements, ladder cross walks and enhanced demarcation and signage at key intersections.

FISCAL CONSIDERATIONS:

No cost to the city. The applicant has deposited sufficient funds to cover associated project processing costs.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

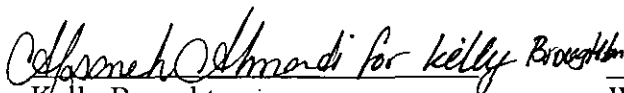
No previous City Council action.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On December 5, 2005, the City Heights Area Planning Committee voted 13-0-1 (Chair not voting) in favor of the Right-of-Way and easement Vacations, recommending that the greatest possible number of Safe Routes To School elements be implemented on the streets leading to the school.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

San Diego Unified School District



Kelly Broughton  
Director, Development Services  
Department



William Anderson  
Deputy Chief Operating Officer:  
Executive Director of City Planning and  
Land Use and Economic Development

# PARCEL MAP NO.

SHEET 1 OF 3 SHEETS

## OWNER'S STATEMENT

WE THE OWNERS OF, OR ARE INTERESTED IN THE PROPERTY COVERED BY THIS MAP HEREBY APPROVE SAID MAP AND THE FILING THEREOF.

IT IS OUR INTENT TO SUBDIVIDE AND LATER CONVEY OUR ENTIRE INTEREST IN THE REAL PROPERTY SHOWN ON THIS PARCEL MAP WITHIN THE HEAVY BORDER, INCLUDING ANY REVERSION RIGHTS THAT MAY EXIST WITHIN THE ADJOINING PUBLIC RIGHTS OF WAY. IT IS NOT OUR INTENT TO ALTER OR SEVER THE LEGITIMATE RIGHTS OF OTHERS WHO MAY HAVE CLAIM ON THOSE REVERSION RIGHTS THROUGH PRIOR CONVEYANCES.

WE HEREBY DEDICATE TO PUBLIC USE A PORTION OF 51ST STREET, POLK AVENUE, AND THE UNNAMED ALLEYS FOR USE AS PUBLIC STREETS AND APPURTENANCES THERETO, ALL AS SHOWN ON THIS PARCEL MAP, WITHIN THIS SUBDIVISION.

WE HEREBY GRANT TO THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, THE EASEMENT(S) WITH THE RIGHT OF INGRESS AND EGRESS FOR THE CONSTRUCTION AND MAINTENANCE OF SEWER AND DRAINAGE FACILITIES, ALL AS SHOWN ON THIS MAP WITHIN THIS SUBDIVISION DESIGNATED AS "SEWER OR DRAINAGE EASEMENT GRANTED HEREON," RESERVING, HOWEVER, TO THE OWNER OF THE FEE UNDERLYING SAID EASEMENT HEREIN GRANTED THE CONTINUED USE OF THE SURFACE OF SAID REAL PROPERTY; AND SUBJECT TO THE FOLLOWING CONDITIONS: THE ERECTING OF BUILDINGS, MASONRY WALLS, MASONRY FENCES AND OTHER STRUCTURES, OR THE PLANTING OR GROWING OF TREES OR SHRUBS, OR CHANGING THE SURFACE GRADE, OR THE INSTALLATION OF PRIVATELY OWNED PIPELINES SHALL BE PROHIBITED UNLESS AN ENCROACHMENT PERMIT IS FIRST OBTAINED FROM THE CITY ENGINEER PURSUANT TO THE MUNICIPAL CODE.

SAN DIEGO UNIFIED SCHOOL DISTRICT

PETER M. INVERSON  
INTERIM EXECUTIVE DIRECTOR OF FACILITIES

## SIGNATURE OMISSION STATEMENT

THE SIGNATURE OF THE CITY OF SAN DIEGO, OWNER OF AN EASEMENT AND RIGHT-OF-WAY FOR STREET PURPOSES AS DEDICATED BY MAP 1732 HAS BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436, SUBSECTION (a)(3)(A)(i) OF THE SUBDIVISION MAP ACT. THEIR INTEREST IS SUCH THAT THEY CANNOT RISE INTO A FEE TITLE AND SAID SIGNATURE IS NOT REQUIRED BY THE GOVERNING BODY.

STATE OF CALIFORNIA } S.S.  
COUNTY OF \_\_\_\_\_

ON \_\_\_\_\_ BEFORE ME.

PERSONALLY APPEARED \_\_\_\_\_

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THEY PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

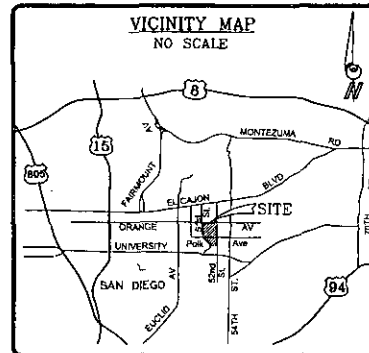
SIGNATURE : \_\_\_\_\_

PRINT NAME : \_\_\_\_\_

MY PRINCIPAL PLACE OF BUSINESS IS IN \_\_\_\_\_ COUNTY

MY COMMISSION EXPIRES: \_\_\_\_\_

PARCEL MAP GUARANTEE BY FIRST AMERICAN TITLE COMPANY AS ORDER NO. DIV-1528505 (MR)  
TOTAL PARCEL MAP AREA: 7.586 ACRES  
NUMBER OF PARCELS : 1



## CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I, THOMAS J. PASTUSZKA, CLERK OF THE BOARD OF SUPERVISORS, HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT (DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE) REGARDING (A) DEPOSITS FOR TAXES, AND (B) CERTIFICATION OF THE ABSENCE OF LIENS FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH.

THOMAS J. PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS

BY: \_\_\_\_\_  
DEPUTY

## CITY CLERK'S CERTIFICATE

I, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA, HEREBY CERTIFY THAT BY RESOLUTION NO. \_\_\_\_\_ THE COUNCIL OF SAID CITY HAS APPROVED THIS MAP, INCLUDING THE VACATIONS OF PORTIONS OF 51ST STREET, 52ND STREET, POLK AVENUE AND UNNAMED ALLEYS, AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES GRANTED ON MAP NO. 1732, AN EASEMENT FOR PUBLIC STREET PURPOSES RECORDED JUNE 23, 1954 IN BOOK 5278, PAGE 439 OF DEEDS, AND THE ABANDONMENT OF EASEMENTS AS INDICATED HEREON PURSUANT TO THE PROVISIONS OF SECTION 66445(J) OF THE SUBDIVISION MAP ACT, AND HAS ACCEPTED THOSE ITEMS AS LISTED IN THE CERTIFICATE SIGNED BY THE OWNERS UNDER THE CONDITIONS EXPRESSED THEREIN, IN WITNESS WHEREOF, SAID CITY COUNCIL HAS CAUSED THESE PRESENTS TO BE EXECUTED BY THE CITY CLERK AND ATTESTED BY ITS SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

ELIZABETH MALAND  
CITY CLERK

BY: \_\_\_\_\_  
DEPUTY

## PARCEL MAP

BEING A CONSOLIDATION OF LOTS 9 THROUGH 37 OF BLOCK 26, LOTS 12 THROUGH 15 AND 20 THROUGH 35 OF BLOCK 25 OF FAIRMOUNT ADDITION TO CITY HEIGHTS, MAP NO. 1035, LOT 1 OF MAP 9882, AND LOTS 1 THROUGH 9, BLOCK D OF OAK PARK, MAP NO. 1732, ALL IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THOSE PORTIONS OF ALTADENA AVENUE, 51ST STREET, 52ND STREET, POLK AVENUE, OTTILIE PLACE AND UNNAMED ALLEYS AS DEDICATED TO PUBLIC USE.

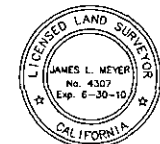
THE UTILITY EASEMENT GRANTED TO THE CITY OF SAN DIEGO, LOCATED WITHIN BLOCK D, MAP NO. 1732; THE PORTION OF 51ST STREET DEDICATED PER DOCUMENT RECORDED JUNE 23, 1954 IN BOOK 5278, PAGE 439 OF DEEDS; THE PORTION OF 51ST STREET DEDICATED AS MOLINO AVENUE PER MAP 1035; THAT PORTION OF POLK AVENUE DEDICATED AS ANNA STREET PER MAP 1732; AND THAT PORTION OF 52ND STREET, DEDICATED PER DOCUMENT NUMBER 11685, RECORDED OCTOBER 24, 1929, IN BOOK 1688, PAGE 371; THAT PORTION OF THE UNNAMED ALLEY OF BLOCK 26, MAP 1035; THAT PORTION OF THE UNNAMED ALLEY OF BLOCK 25, MAP 1035 ARE NOT SHOWN WITHIN THIS PARCEL MAP BECAUSE THEY HAVE BEEN VACATED PURSUANT TO SECTION 66445(J) OF THE STATE SUBDIVISION MAP ACT.

## SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT, AND I CERTIFY THAT SAID SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS SET, TOGETHER WITH THOSE FOUND, ARE OF THE CHARACTER INDICATED AND OCCUPY THE POSITIONS SHOWN HEREON AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED (SEE LEGEND ON SHEET NO. 2).

I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

JAMES L. MEYER LS 4307  
EXPIRATION 6-30-2010  
DATE: \_\_\_\_\_



## CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT THIS PARCEL MAP WAS EXAMINED BY ME OR UNDER MY DIRECT SUPERVISION; THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP, IF ANY, AND ANY APPROVED ALTERATIONS THEREOF; THAT IT COMPLES WITH THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT IT IS TECHNICALLY CORRECT. I ALSO CERTIFY THAT THERE ARE NO UNPAID BONDS ISSUED UNDER THE STREET IMPROVEMENT ACTS OF THE STATE OF CALIFORNIA AGAINST THIS SUBDIVISION.

AFSHIN OSKOU, CITY ENGINEER

BY: \_\_\_\_\_  
GREGORY P. HOPKINS, DEPUTY  
L.S. 7730  
DATE: \_\_\_\_\_

## RECORDER'S STATEMENT

FILE NO \_\_\_\_\_

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008 AT \_\_\_\_\_ AM/PM.  
IN BOOK OF PARCEL MAPS AT PAGE \_\_\_\_\_, AT THE  
REQUEST OF JAMES L. MEYER.

GREGORY J. SMITH  
COUNTY RECORDER  
BY: \_\_\_\_\_  
DEPUTY COUNTY RECORDER

FEE: \$ 14.00

Burkett & Wong Engineers

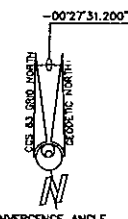
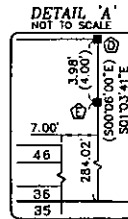
P. I. S. 20163 \* O 422102 T. M. NONE CCS 83 1852-6303 L. C. 212-1743

# PARCEL MAP NO.

000248

## PROCEDURE OF SURVEY

SHEET 2 OF 3 SHEETS



SCALE IN FEET  
1 inch = 60 ft.

**BASIS OF BEARINGS** (SEE SHEET 3 FOR DETAIL)  
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NAD 83 CALIFORNIA COORDINATE SYSTEM CCS83 ZONE 6, EPOCH 1997.35. MEASUREMENTS TO POINTS "A" AND "B" ARE SHOWN HEREON. "A" AND "B" ARE ADJUSTED TO G.P.S. STATION 1067 AND G.P.S. STATION 169 PER ROS 14492.

BEARING PT. "A" - PT. "B": S 88°58'38" E  
QUOTED BEARINGS FROM REFERENCE MAPS OR DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.

THE COMBINED SCALE FACTOR AT STATION "A" IS -0.999989919  
GRID DISTANCE-GROUND DISTANCE X COMBINED SCALE FACTOR

### VACATED HEREON

- (A) AN EXISTING EASEMENT, 12 FEET IN WIDTH, GRANTED TO THE CITY OF SAN DIEGO ON MAP 1732, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES
- (B) PORTION OF 51ST STREET DEDICATED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED JUNE 23, 1954 IN BOOK 5278, PAGE 43 OF DEEDS
- (C) PORTION OF 51ST STREET DEDICATED AS MOLINO AVENUE, PER MAP 1035.
- (D) PORTION OF POLK AVENUE, DEDICATED AS ANNA STREET, PER MAP 1732.
- (E) PORTION OF UNNAMED ALLEY'S DEDICATED PER MAP 1035

### EXISTING STREET DEDICATIONS

- (A) PORTION OF 52ND STREET DEDICATED PER DOC. RECORDED OCTOBER 24, 1929, DEED BOOK 1688, PAGE 371, NO. 11895
- (B) PORTION OF 52ND STREET DEDICATED PER DOC. RECORDED OCTOBER 24, 1929, DEED BOOK 1688, PAGE 472, NO. 11896
- (C) PORTION OF 52ND STREET DEDICATED PER DOC. RECORDED AUGUST 7, 1929, DEED BOOK 1688, PAGE 467, NO. 11535
- (D) PORTION OF 52ND STREET DEDICATED PER ORD. 6998 (N.S.) ADOPTED MAY 10, 1956, AS SHOWN ON CITY DRAWING 12807-AL
- (E) PORTION OF 52ND STREET DEDICATED PER DOC. 11631, BOOK 1678 PAGE 222, RECORDED SEPTEMBER 12, 1929
- (F) PORTION OF 52ND STREET DEDICATED PER DOC. 11630, BOOK 1678 PAGE 217, RECORDED SEPTEMBER 12, 1929
- (G) PORTION OF 52ND STREET DEDICATED AS LEMONIA AVENUE PER MAP 1732

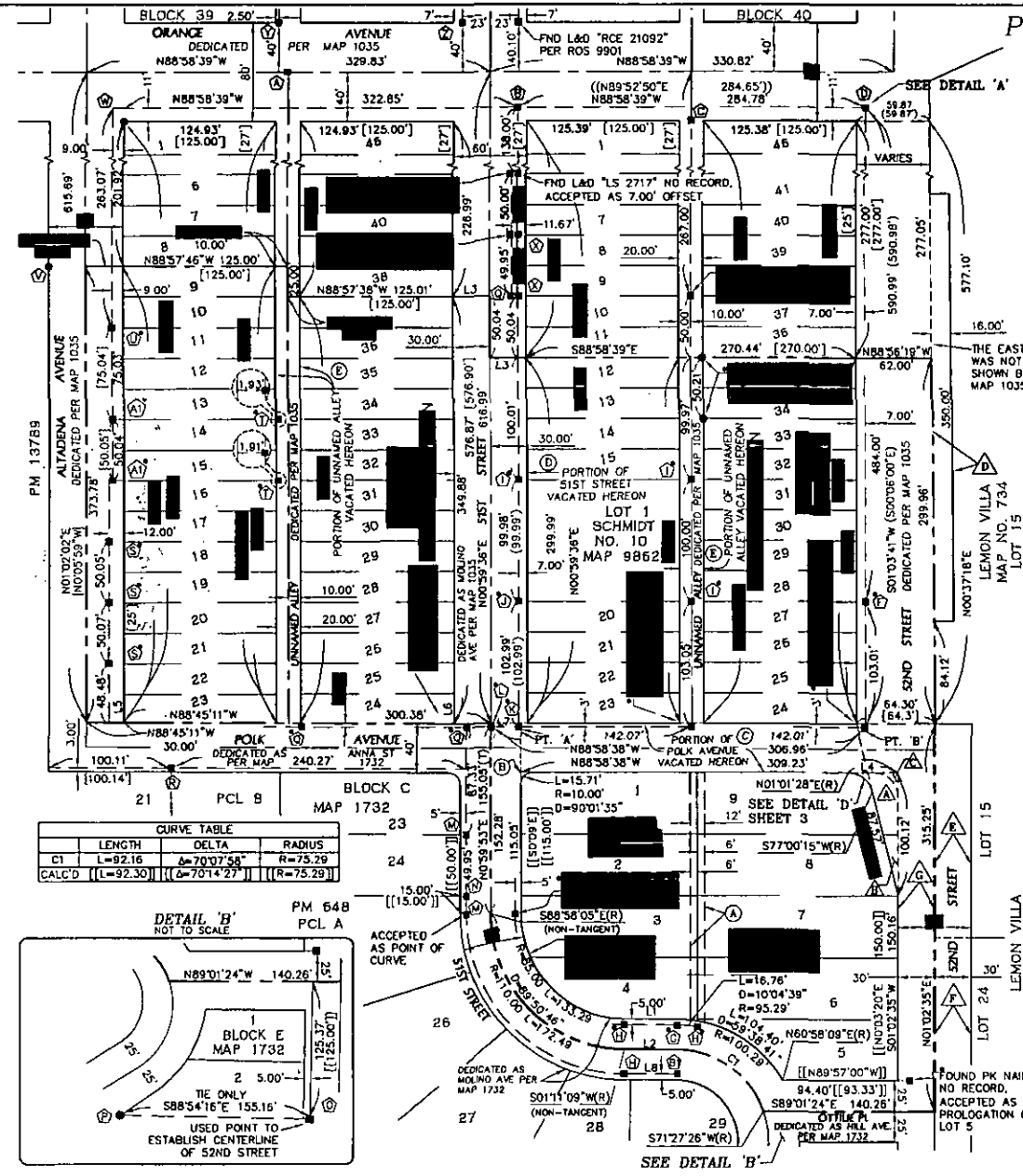
LINE	LENGTH	BEARING
L1	43.65 [43.63]	N88°40'32"W [S89°57'00"E]
L2	43.59	N88°40'32"W
L3	30.00	N89°00'24"W
L4	40.65	N88°58'38"W
L5	23.02 [24.03]	N01°02'02"E
L6	24.90 [24.90]	N00°59'36"E
L7	22.85	N88°58'38"W
L8	43.55	N88°40'32"W

- LEGEND**
- FOUND MONUMENT AS NOTED
  - FOUND 3/4" IRON PIPE AS NOTED
  - INDICATES SET LEAD W/DISK STAMPED "LS 4307"
  - INDICATES SET 3/4"x18" IRON PIPE W/DISK STAMPED "LS 4307"
  - (A) FOUND CITY ENGINEER'S DISK PER MAP 1929 & OR 6168, FOUND N74°23'22"W 0.82' FROM INTERSECTION
  - (B) FOUND LEAD AND DISK STAMPED "LS 2976" PER MAP 9862, ROS 9901 & PM 14787
  - (C) FOUND LEAD AND DISK STAMPED "LS 2717" NO RECORD, FOUND N71°04'56"W 0.24' FROM INTERSECTION
  - (D) FOUND LEAD AND DISK STAMPED "LS 2976" AS PER MAP 9862, ROS 9901, OR 3458, & PM 14787
  - (E) FOUND CITY ENGINEER'S DISK PER OR 3458 AND ACCEPTED AS POINT SHOWN ON MAP 9862
  - (F) FOUND LEAD AND DISK STAMPED "LS 2534" NO RECORD
  - (G) FOUND LEAD ONLY, DISC MISSING, ACCEPTED AS MON. PER PM 13789
  - (H) FOUND CITY ENGINEER'S DISK, NO RECORD, ACCEPTED AS SHOWN
  - (I) FOUND LEAD AND DISK STAMPED "LS 2976" AS PER MAP 9862
  - (J) FOUND LEAD AND DISK STAMPED "LS 2717" AS PER MAP 9862
  - (K) FOUND LEAD AND DISK STAMPED "LS 2976" AS PER MAP 9862 AND PM 13789, USED TO ESTABLISH THE CENTERLINE OF 51ST ST.
  - (L) FOUND CITY ENGINEER'S DISK, NO RECORD, HELD TO ESTABLISH 51ST STREET WIDTH PER MAP 1732.
  - (M) FOUND LEAD AND DISK STAMPED "LS 2881" AS PER PM 13789
  - (N) FOUND LEAD AND DISK STAMPED "LS 2881" AT 5' OFFSET, SHOWN ON PM 648 AND MAP 9862 AS B' OFFSET
  - (O) FOUND LEAD AND DISK STAMPED "LS 2976" NO RECORD, ACCEPTED AS 5' OFFSET
  - (P) FOUND 3/4" I.P. STAMPED "LS 2976", NO RECORD, SHOWN FOR REFERENCE ONLY
  - (Q) FOUND CHISELED X, NO RECORD, ACCEPTED AS OFFSET SHOWN
  - (R) FOUND LEAD AND DISK STAMPED "LS 2976", AT 3' OFFSET, AS PER P.M. 13789, C.R. 2849, AND C.R. 10154
  - (S) FOUND LEAD AND DISK, STAMP ILLEGIBLE, NO RECORD, ACCEPTED AS 12' OFFSET
  - (T) FOUND LEAD AND DISK, STAMPED RCE 22139, NO RECORD, ACCEPTED AS SHOWN
  - (U) FOUND LEAD AND DISK, PER P.M. 13789
  - (V) FOUND 3/4" I.P. WITH CAP ILLEGIBLE, ACCEPTED AS PER, P.M. 13789, AND C.R. 10154
  - (W) FOUND 3/4" I.P. STAMPED "LS 2976" NO RECORD, ACCEPTED AS NORTHWEST CORNER OF LOT 1
  - (X) FOUND LEAD AND DISK STAMPED "LS 2976" NO RECORD, ACCEPTED AS 7' OFFSET
  - (Y) FOUND LEAD AND DISK STAMPED "LS 4112" NO RECORD, ACCEPTED AS SHOWN
  - (Z) FOUND LEAD AND DISK STAMPED "LS 2717" PER R.O.S. 9901 AND C.R. 6168, ACCEPTED AS SHOWN
  - (AA) FOUND LEAD, STAMPED RCE 22139, PER PM 13789 ACCEPTED AS SHOWN
  - (AB) FOUND CITY ENGINEER'S DISK, NO RECORD, FOUND 0.11 NORTH AND 0.13 EAST OF 5' OFFSET LINE, NOT ACCEPTED HEREON.

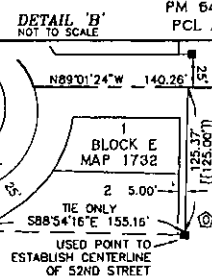
- INDICATES PARCEL MAP BOUNDARY
- INDICATES RIGHT-OF-WAY
- INDICATES RECORD DATA PER MAP 9862
- INDICATES RECORD DATA PER PARCEL MAP 14787
- INDICATES RECORD DATA PER MAP 1035
- INDICATES RECORD DATA PER MAP 1732
- INDICATES RECORD DATA PER PM 13789
- INDICATES MONUMENT DESTROYED BY CONSTRUCTION

Burkett & Wong Engineers

P.T.S. 20183 W 0 422102 T.W. NONE CCS 63 1852-6303 L.C. 212-1743



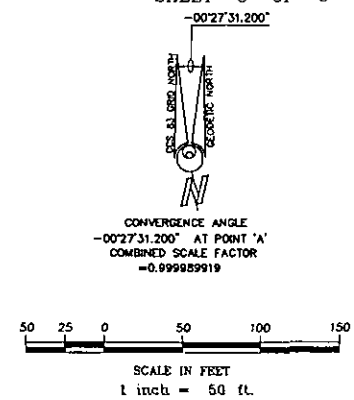
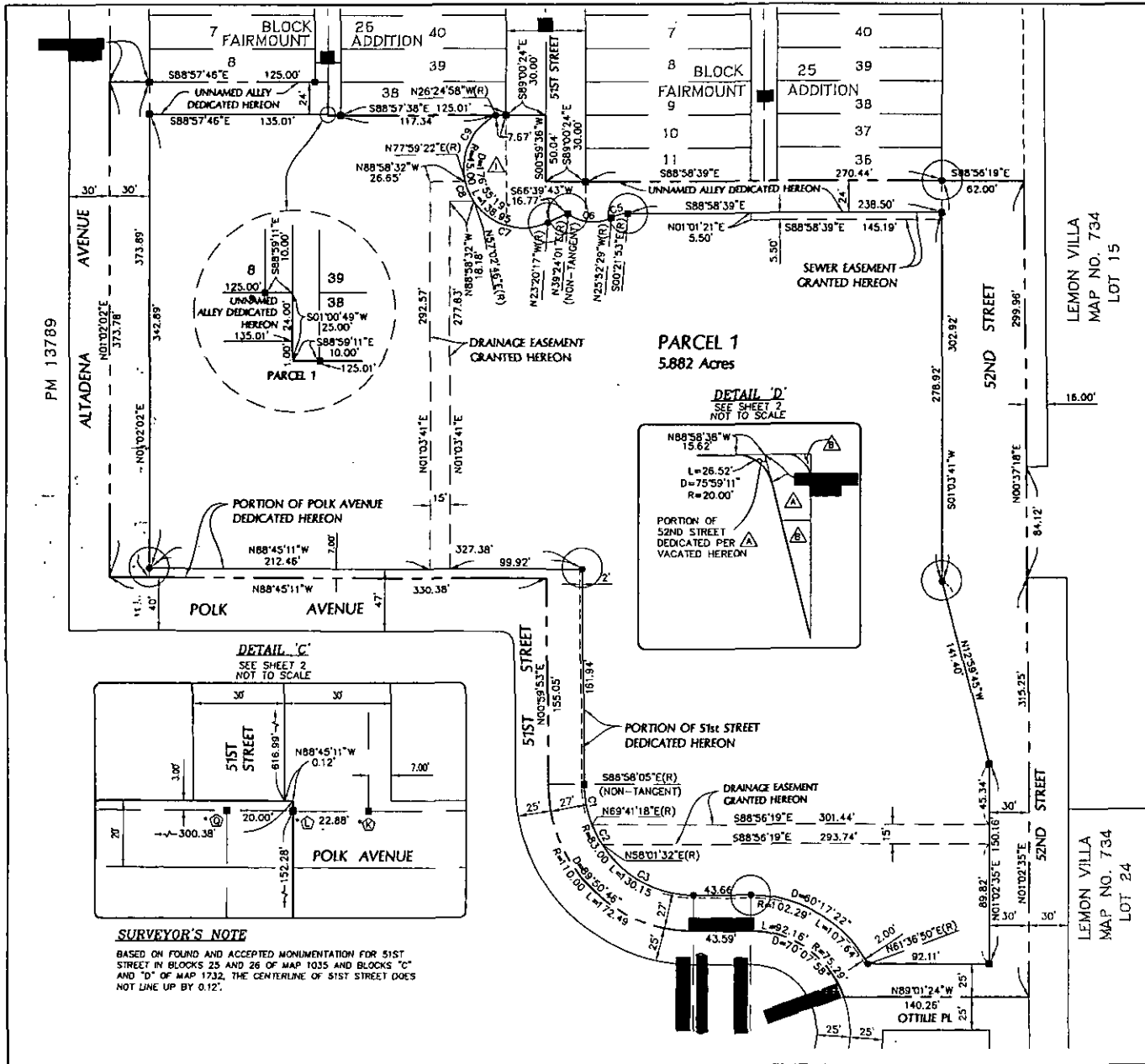
CURVE TABLE	LENGTH	DELTA	RADIUS
C1	L=82.16	Δ=70°17'58"	R=75.39
CALCD	[L=92.30]	[Δ=70°14'27"]	[R=75.29]



# PARCEL MAP NO.

000249

SHEET 3 OF 3 SHEETS



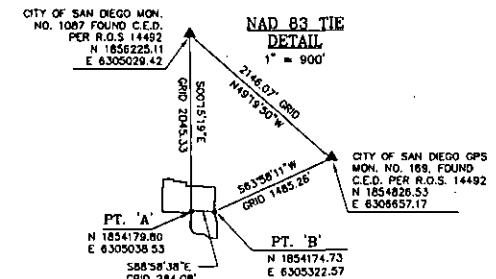
## STREET DEDICATION

△ A PORTION OF 51ST STREET DEDICATED HEREON

## STREET DEDICATION (EXISTING)

- △ PORTION OF 52ND STREET DEDICATED PER DOC. RECORDED OCTOBER 24, 1929, DEED BOOK 1888, PAGE 371, NO. 11695
- △ PORTION OF 52ND STREET DEDICATED PER DOC. RECORDED OCTOBER 24, 1929, BOOK 1888, PAGE 472, NO. 11696
- △ PORTION OF 52ND STREET DEDICATED PER DOC. RECORDED AUGUST 7, 1929, BOOK 1858, PAGE 467, NO. 11535

CURVE TABLE				
	LENGTH	DELTA	RADIUS	CHORD BEARING
C1	L=30.92	Δ=21°20'37"	R=83.00	S09°38'24"E
C2	L=16.89	Δ=11°39'46"	R=83.00	S26°08'35"E
C3	L=82.34	Δ=56°50'23"	R=83.00	S60°23'39"E
C4	L=26.62	Δ=75°58'47"	R=20.00	N50°58'08"W
C5	L=13.36	Δ=25°30'36"	R=30.00	S76°52'49"W
C6	L=34.18	Δ=65°16'30"	R=45.00	S83°14'14"E
C7	L=83.13	Δ=80°23'03"	R=45.00	S73°08'46"E
C8	L=16.45	Δ=20°56'36"	R=45.00	S22°28'56"E
C9	L=59.37	Δ=75°35'40"	R=45.00	S25°47'12"W



Burkett & Wong Engineers

P.T.S. 20163 R.O. 422102 T.W. NONE CCS 83 1852-8303 L.C. 212-1743

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO APPROVING A VACATION OF A PORTION OF 51<sup>ST</sup>  
STREET, 52<sup>ND</sup> STREET, POLK AVENUE FOR GENERAL  
UTILITY AND PUBLIC STREET PURPOSES AND  
APPROVAL OF A PARCEL MAP FOR JACKSON/  
MARSHALL ELEMENTARY SCHOOL.

WHEREAS, California Streets and Highways Code section 8330 et seq. and San Diego  
Municipal Code section 125.0910 et seq. provides a procedure for the summary vacation of  
public easements by City Council resolution where the easements are no longer required; and

WHEREAS, within portions of 51st Street, 52nd Street, Polk Avenue and unnamed alleys  
an easement for public street purposes and an easement for public utilities and incidental  
purposes are no longer required; and

WHEREAS, San Diego Municipal Code Section 125.1010 provides that a public service  
easement or other easement may be summarily abandoned if it does not contain public utility  
facilities, does not contain active public utility facilities that would be affected by the  
abandonment, or the easement has been superceded by relocation and there are no other public  
facilities located within the easement; and

WHEREAS, the public street easement identified on Vacation L.C. 212-1743, on file in  
the office of the City Clerk as Document No. RR-\_\_\_\_\_, does not contain  
active public utilities that would be affected by the relocation; and

WHEREAS, Subdivision Map Act Section 66445(j) provides a procedure for the  
abandonment of public easements, such that the filing of a parcel map shall constitute as an  
abandonment of all public streets and easements not shown on the map; and

WHEREAS, the affected property owner has requested the vacation of the public street easement to unencumber this property; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on \_\_\_\_\_, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego finds that:

- (a) there are no present or prospective uses for the public rights-of-way, public service easements, and other easements either for a public facility or the purposes for which they were originally acquired, or for any other public use of a like nature that can be anticipated;
- (b) the public will benefit from the vacation through improved utilization of land;
- (c) the vacation does not adversely affect any applicable land use plan and is consistent with the General Plan and approved Community Plan; and
- (d) the public street system and the other public purposes for which the public service easements and right-of-way were originally acquired will not be detrimentally affected by this vacation.



BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the Council finds that certain map surveyed by James L. Meyer, licensed Land Surveyor, titled "Parcel Map W.O. No. 422102" [MAP], being a lot consolidation of Lots 9 through 37, of Block 26, Lots 12 through 15 and 20 through 35 of Block 25 of Fairmount Addition to City Heights, Map No. 1035, Lot 1 of Map 9862, and Lots 1 through 9, Block D of Oak Park, Map No. 1732, all in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of said County, together with those portions of Altadena Avenue, 51<sup>st</sup> Street, 52<sup>nd</sup> Street, Polk Avenue, and Otilie Place and unnamed alleys as dedicated to public use; and

BE IT FURTHER RESOLVED, the utility easement granted to the City of San Diego, located within Block D, Map No. 1732, the portion of 51<sup>st</sup> Street dedicated per document recorded June 23, 1954, in Book 5278, Page 439 of Deeds, the portion of 51<sup>st</sup> Street dedicated as Molino Avenue per Map 1035, that portion of Polk Avenue dedicated as Anna Street per Map 1732, and that portion of 52<sup>nd</sup> Street, dedicated per document number 11695, recorded October 24, 1929, in Book 1688, Page 371, that portion of the unnamed alley of Block 26, Map No. 1035, that portion of unnamed alley of Block 25, Map No. 1035 are not shown within this map because they have been vacated pursuant to Section 66445(j) of the Subdivision Map Act.

BE IT FURTHER RESOLVED, that Parcel Map W.O. No. 422102 is approved.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego finds that:

1. Prior to the recordation of the public right-of-way vacation of 51st Street or any final map, the Applicant shall cut, plug and abandon the existing public water facilities within the 51st Street right-of-way outside of the vacation boundary, in a manner satisfactory to the Water Department Director and the City Engineer.

2. Prior to the recordation of the public right-of-way vacation or any final map, the Applicant shall assure, by permit and bond, the design and construction of new public 12-inch water facilities within the following rights-of-way: Altadena Avenue, from Orange Avenue to Polk Avenue; Polk Avenue, from Altadena Avenue to 51st Street; 51st Street, from Polk Avenue to Otilie Place; and Otilie Place, from 51st Street to 52nd Street, in a manner satisfactory to the Water Department Director and the City Engineer.

3. Prior to the recordation of the public right-of-way vacation or any final map, the Applicant shall assure, by permit and bond, the installation of fire hydrants at locations approved by and in a manner satisfactory to the Fire Marshal, the Water Department Director and the City Engineer.

4. Prior to the recordation of the public right-of-way vacation or any final map, the Applicant shall reconnect all existing water services adjacent to new 12-inch facilities and remove all existing unused water services adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer.

5. The Applicant agrees to design and construct all required public water facilities in accordance with established criteria, in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

6. The Applicant shall install a new concrete standard alley for the segment of existing alley (off-site) running in a north-south direction between 51st Street and 52nd Street from the proposed public alley "T" intersection north to Orange Avenue. All work shall be completed and accepted by the City Engineer, prior to occupancy.

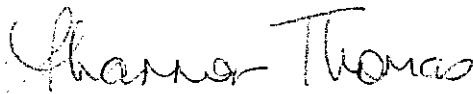
7. All public improvements shall be installed in accordance with the improvement plans 33310-D (J.O. 423300). All work shall be completed and accepted by the City Engineer.

8. That the City Clerk shall cause a certified copy of this resolution, and Document No. RR-\_\_\_\_\_, attested by her under seal, to be recorded in the office of the County Recorder.

9. That this activity is covered under Final 52<sup>nd</sup> Street Area School Environmental Impact Report SCH No. 199101128, dated May, 2003, certified by the Board of Education on June 13, 2003. The activity is adequately addressed in the environmental documents and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. Because the prior environmental documents adequately covered this activity as part of the previously approved project, the activity is not a separate project for purposes of the California Environmental Quality Act [CEQA] review per CEQA Guidelines Section 15060(c)(3) and 15378(c).

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Shannon Thomas  
Deputy City Attorney

MG:ST:als;pev  
10/27/08  
02/11/09 COR.COPY  
02/18/09 COR.COPY2  
Or.Dept:DSD  
R-2009-532  
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